

2003 No. 63

ENVIRONMENTAL PROTECTION

**The Environmental Protection (Duty of Care) (England)
(Amendment) Regulations 2003**

Made - - - - - *19th January 2003*

Laid before Parliament *21st January 2003*

Coming into force - - *20th February 2003*

The Secretary of State, in exercise of the powers conferred upon her by section 34(5) of the Environmental Protection Act 1990(a), hereby makes the following Regulations:

Citation and commencement

1. These Regulations may be cited as the Environmental Protection (Duty of Care) (England) (Amendment) Regulations 2003 and shall come into force on 20th February 2003.

Territorial application

2. These Regulations apply to England only.

Amendment of regulation 4 of the Environmental Protection (Duty of Care) Regulations 1991

3. In regulation 4 of the Environmental Protection (Duty of Care) Regulations 1991(b)—
(a) for the words “served by a waste regulation authority” substitute “served by either a waste regulation authority or an authority which is a waste collection authority for the purposes of Part II of the 1990 Act”; and
(b) for the words “furnish the authority with a copy of it at the authority’s office” substitute “furnish that authority with a copy of it at that authority’s office”.

Michael Meacher,
Minister of State

19th January 2003

Department for Environment, Food and Rural Affairs

(a) 1990 c. 43; there are amendments to section 34 not relevant to these Regulations. The relevant functions of the Secretary of State in so far as they relate to Scotland were transferred to the Scottish Ministers by virtue of section 53 of the Scotland Act 1998 (c. 46). The relevant functions in so far as they relate to Wales were transferred to the National Assembly for Wales by virtue of article 2 of and Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(b) S.I. 1991/2839, as amended by regulation 23 of S.I. 1996/972 and as further amended as it applies to England and Wales by regulation 26 of S.I. 2000/1973 and regulation 19(1) of S.I. 2002/1559. There is an amendment to these Regulations which applies to Scotland only.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Environmental Protection (Duty of Care) Regulations 1991 (S.I. 1991/2839, as amended by S.I. 1996/972 and as further amended, as they apply to England and Wales, by S.I. 2000/1973 and 2002/1559: “the primary Regulations”) to allow for waste collection authorities to serve notices on persons who are required to keep written descriptions of waste and transfer notices under the primary Regulations, and to require those persons to furnish such documents to the waste collection authority at their offices within a specified period of time.

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